



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/728,356	12/03/2003	Peter A. Panec	GCENP004	6402

22434 7590 06/06/2005

BEYER WEAVER & THOMAS LLP
P.O. BOX 70250
OAKLAND, CA 94612-0250

EXAMINER

ZHONG, CHAD

ART UNIT PAPER NUMBER

2152

DATE MAILED: 06/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/728,356

Applicant(s)

PANEC ET AL.

Examiner

Chad Zhong

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-67 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-67 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to communications: Amendment, filed on 10/27/2003.
2. Claims 1-67 are presented for examination.
3. Applicant's arguments with respect to claim 1-67 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112, second paragraph

Claims 63, 65 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- a. The following terms lack antecedent basis:
 - i. the at least one computer readable product - claim 63, 65.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371 (c) of this title before the invention thereof by the applicant for patent.

5. Claims 1-23, 25-46, 47, 48-64, 66-67 are rejected under 35 U.S.C. 102(e) as being anticipated by Cookmeyer, II et al. (hereinafter Cookmeyer), US 6,526,044.

6. As per claim 1, Cookmeyer teaches a method for correlating services within a computer network, the method comprising:

providing a message interchange network which manages a plurality of services (Col. 20, lines 1-15, the services are provided by servers) which are each accessible by a plurality of services (abstract, Col. 14, lines 1-15; Col. 3, lines 1-10, Fig 22, 23, wherein the messages are exchanged between services, i.e. between gateway and servers, server and servers, servers and routers etc); and

tracking correlation information regarding each message received into message interchange network, wherein the messages are being sent between pairs of the services (Fig 22, 23), wherein the correlation information for each message pertains to each message and any other messages related to the each message (abstract, Col. 14, lines 1-15; Col. 3, lines 1-10, Col. 12, lines 15-45, Fig 22, 23, wherein the messages exchanged between network service nodes are monitored, and messages can be related to each other and dependent on the previous messages sent).

7. As per claim 2, Cookmeyer teaches a method as recited in claim 1, wherein the correlation information for each message includes message information regarding the each message (Col. 3, lines 1-10) and/or call information regarding a call to which the each message and any other related message belongs, and/or session information regarding a session to which the each message and any other related message belongs.

8. As per claim 3, Cookmeyer teaches a method as recited in claim 2, wherein the message information for each message includes a Hop Identifier (ID) uniquely identifying a hop between a sender and receiver of the each message (Col. 14, lines 35-67; Col. 15, lines 40-67).

9. As per claim 4, Cookmeyer teaches a method as recited in claim 3, wherein the message information for each message further includes an identification of the each message's sending service and

Art Unit: 2152

receiving service (Col. 17, lines 40-50, wherein the identification comprises IP addresses of the services being monitored by the analyzer; Fig 11A, item 188, wherein the service is identified and further monitored by the network analyzer).

10. As per claim 5, Cookmeyer teaches a method as recited in claim 3, wherein the message information for each message further includes an indication as to whether the each message has completed transmission (Col. 21, lines 5-10; Col. 6, lines 15-20, wherein the error detection detect the completeness of a message transmission, a transmission without error is complete).

11. As per claim 6, Cookmeyer teaches wherein the message information for each message further includes a reason or error log regarding why the each message has failed to complete its transmission if the each message as failed (Col. 13, lines 10-15; Col. 18, lines 5-20, wherein the reasons for error as well as recommendations are given).

12. As per claim 7, Cookmeyer teaches a method as recited in claim 3, wherein the message information for each message further includes a portion of the each message content (Col. 17, lines 45-50, wherein the IP addresses are part of message content).

13. As per claim 8, Cookmeyer teaches a method as recited in claim 3, wherein the message information for each message further includes two or more of the following: an identification of the each message's sending and receiving service (Col. 17, lines 45-50), an indication as to whether the each message has completed transmission, a reason or error log regarding why the each message has failed to complete its transmission if the each message has failed (Col. 18, lines 1-20), and a portion of the each message content (Col. 17, lines 45-50), a size of the each message, a topic of the each message, a status on processing steps taken on the each message, and specification of any protocols used in receiving and sending the each message (Fig 5A, item 56; Col. 14, lines 20-30).

14. As per claim 9, Cookmeyer teaches a method as recited in claim 2, wherein the call information for each call includes a Call Identifier (ID) uniquely identifying the each call (Fig 17, item 257).

15. As per claim 10, claim 10 is rejected for the same reasons as rejection to claim 8 above.

16. As per claim 11, Cookmeyer teaches a method as recited in claim 2, wherein the session information for each session includes a Session Identifier (ID) uniquely identifying the each session (Col. 18, lines 30-35).

17. As per claim 12, claim 12 is rejected for the same reasons as rejection to claim 5 above.

18. As per claim 13, Cookmeyer teaches a method as recited in claim 11, wherein the session information for each session further includes a calculated or executed route for messages sent within the each session (Col. 18, lines 50-67).

19. As per claim 14, Cookmeyer teaches a method as recited in claim 11, wherein the session information for each session further includes an identity (Col. 18, lines 32-35) and status of each service of the each session (Col. 19, lines 55-60).

20. As per claim 15, claim 15 is rejected for the same reasons as rejection to claim 8 above.

21. As per claim 16, Cookmeyer teaches a method as recited in claim 2, wherein each message belongs to a particular call between two of the services (Col. 17, lines 45-50; Col. 18, lines 30-35).

22. As per claim 17, Cookmeyer teaches a method as recited in claim 2, wherein each call may include a request message (Fig 11A, item 188, 206, wherein the users are answering questions in request for an answer to the problem) and a response message or a notification message (Fig 11B, item 202).

23. As per claim 18, Cookmeyer teaches a method as recited in claim 2, wherein a call is defined as a set of predefined message types (Fig 11A, 11B, wherein the messages/questions are predefined set of problems known in advance).

24. As per claim 19, Cookmeyer teaches a method as recited in claim 2, wherein a session is determined by the services which send messages for the set of calls as a set of calls (Col. 18, lines 30-35).

24. As per claim 20, Cookmeyer teaches a method as recited in claim 1, wherein at least some of services are implemented on different computer systems and at least some of these computer systems differ from a computer system which implements the message interchange network (Fig 2; Fig 1B).

25. As per claim 21, Cookmeyer teaches a method as recited in claim 2, wherein the tracking of correlating information comprises:

receiving a current message at the message interchange network, wherein the current message belong to a current session and a current call (Col. 18, lines 30-35);

when this is a first message received for the current session, assigning a session identifier for the current message (Col. 18, lines 30-35) and embedding the session identifier in the current message prior to forwarding it to its destination service (Col. 18, lines 50-67, wherein the recommendations for each session's errors are viewed by the end users in an attempt to resolve the issue);

when this is a first message received for the current call, assigning a call identifier for the current message and embedding the call identifier in the current message prior to forwarding it to its destination service (Col. 18, lines 30-35, lines 50-67);

assigning a hop identifier for the current message which uniquely identifies the current message (Col. 15, lines 40-67), and

associating and storing the session identifier, the call identifier, and the hop identifier, along with

Art Unit: 2152

message, call, and session information for the received message (Col. 14, lines 35-67; Col. 15, lines 40-67; Col. 18, lines 30-35; Col. 17, lines 45-50).

26. As per claim 22, Cookmeyer teaches a method as recited in claim 2, further comprising:

receiving a query for correlation information regarding a particular session or call, wherein the query is sent by a first one of the services (Fig 28); and

sending correlation information to the first service related to the particular session or call of the query (Fig 27, 28, the information is displayed to the user making the request).

27. As per claim 23, Cookmeyer teaches a method as recited in claim 22, wherein the correlation information includes information regarding messages sent between more than two services (Fig 28).

28. As per claim 25, Cookmeyer teaches a method as recited in claim 1, wherein at least one of the services is a routing script (Col. 16, lines 40-63).

29. As per claims 26-33, claims 26-33 are rejected for the same reasons as rejection to claims 22, 1-3, 8-11 above respectively.

30. As per claims 34-48, claims 34-48 are rejected for the same reasons as rejection to claims 8, 17-21, 26, 25, 1-7 above respectively.

31. As per claims 49-50, claims 49-50 are rejected for the same reasons as rejection to claim 8-9 above respectively.

32. As per claims 51-55, claims 51-55 are rejected for the same reasons as rejection to claim 8, 11, 5, 13, 14 above respectively.

33. As per claims 56-64, 66, claims 56-64, 66 are rejected for the same reasons as rejection to claim

Art Unit: 2152

8, 16-21, 26, 23, 25 above respectively.

34. As per claim 67, claim 67 is rejected for the same reasons as rejection to claim 26 above.

Claim Rejections - 35 USC § 103

35. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

36. Claims 24, 65 are rejected under 35 U.S.C. 103(a) as being unpatentable by Cookmeyer, II et al. (hereinafter Cookmeyer), US 6,526,044, in view of Picher-Dempsey, US 6,779,031.

37. As per claim 24, Cookmeyer does not explicitly teach a method as recited in claim 22, further comprising determining whether the first service is authorized to make the query and only sending correlation information to the first service when it is determined that the first service is authorized. In a similar system, Picher-Dempsey teaches of a network monitoring system allowing only the authenticated/authorized users to make IP/QoS reservation requests (Col. 4, lines 30-50). This is done for security reasons, so that only the authenticated users may have access to the network information. Hence, it would have been obvious to the person ordinary skilled in the art to have used secure authentication in a monitoring system in order to ensure information is secure on the internet.

38. As per claim 65, claim 65 is rejected for the same reasons as rejection to claim 24 above.

Conclusion

Art Unit: 2152

38. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patents and publications are cited to further show the state of the art with respect to

“Apparatus And Methods For Correlating Message Sent Between Services”.

- | | | |
|------|------------|----------------|
| i. | US 6529489 | Kikuchi et al. |
| ii. | US 5255389 | Wang |
| iii. | US 5333312 | Wang |
| iv. | US 6091714 | Sensel et al. |

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chad Zhong whose telephone number is (571)272-3946. The examiner can normally be reached on M-F 7:15 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, BURGESS, GLENTON B can be reached on (571)272-3949. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CZ

April 15, 2005

Bradley Edelman
Art Unit 2153